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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/806,355 | 03/23/2004 | Shiyouji Sugamura | 024629-00014 |

004372

ARENT FOX KINTNER PLOTKIN & KAHN
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

CONFIRMATION NO. 3970

FORMALITIES LETTER



OC000000012884663

Date Mailed: 06/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/09/2004 SZEWDIE1 00000031 10806355

01 FC:1001
02 FC:1051

770.00 OP
130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 6a,b,7a,b,8a,b.
- Replacement claim(s) commencing on a separate sheet in compliance with 37 CFR 1.75(h) and 1.121 is required.

- A replacement abstract commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

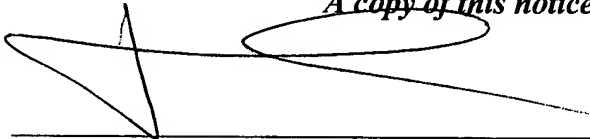
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Shiyouji SUGAMURA, et al.

Customer No.: 004372

Application No.: 10/806,355

Confirmation No.: 3970

Filed: March 23, 2004

For: PROCESS DELAY MONITORING SYSTEM

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop: Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

August 6, 2004

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 7, 2004 (copy attached), enclosed herewith for filing are the executed Declaration For U.S. Patent Application, Information Disclosure Statement and executed U.S. Assignment with Form PTO-1595 for the above-identified patent application.

Also enclosed is a substitute specification in which the specification has been put into proper format under U.S. practice, including placing the claims and abstract on separate sheets. It is respectfully submitted that no new matter has been added and that this substitute specification overcomes the objections to the originally filed specification.

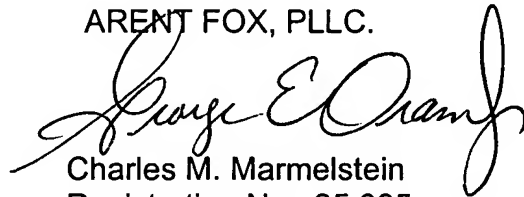
Replacement drawing sheets for Figures 1-8 in which the drawings have been put into proper format under U.S. practice are also enclosed. It is respectfully submitted that no new matter has been added and that these replacement drawings overcome the objections to the originally filed drawings.

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

Included in attached check number 410147, is the amount of \$900.00 to cover the Notice to File Missing Parts surcharge and the Filing Fees. Please charge any fee deficiency or credit any overpayment to Deposit Account Number 01-2300, referencing Atty. Docket No. 024629-00014.

Respectfully submitted,

ARENT FOX, PLLC.



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27931

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